THE HONOUABLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.3243 of 2006

Between:

V.Venkateswara Rao. ..
PETITIONER

and

The District Collector (Civil Supplies),
Khammam and others.
..
RESPONDENTS

-
-
-

-
-
-
-
-
-
-
-

ORDER:

This writ petition is directed against the proceedings No.C2/102/06, dated 21-01-2006, passed by the 2nd respondent-Revenue Divisional Officer, Khammam, Khammam District, appointing the 3rd respondent after subjecting him to the regular selection process.

Learned counsel for the petitioner states that the 3rd respondent is not qualified for being appointed as a Fair Price Shop Dealer of Gangadevipadu village of Tallada Mandal for the reason that he does not belong to the Gram Panchayat, where the fair price shop is located. Further, no written test was conducted as notified in the Notification, dated 09-01-2006.

I am of the opinion that when an effective and an alternative remedy against the impugned proceedings by way of statutory appeal is available, this writ petition is not maintainable. Firstly, whether the 3rd respondent is a native of Nuthankal village, Tallada Mandal, or not can be examined by the appellate court. Further, no extraordinary grounds are made out for interference of this

court into the impugned proceedings. Therefore, the writ petition is devoid of merit and is liable to be dismissed.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

However, this order will not preclude the petitioner from filing statutory appeal before the Joint Collector. On filing such appeal, the same shall be entertained without raising any objection.

_____

12-10-2006

Prv